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No. 107

## House of Representatives

The House was not in session today. Its next meeting will be held on Wednesday, September 4, 2002, at 2 p.m.

## Senate

WEDNESDAY, JULY 31, 2002

### DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2003

(Continued)

#### AMENDMENT NO. 444

Mr. MCCAIN. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:  
The Senator from Arizona [Mr. MCCAIN] proposes an amendment numbered 444.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To prohibit the use of funds for leasing of transport/VIP aircraft under any contract not entered into pursuant to full and open competition)

On page 223, between lines 20 and 21, insert the following:

SEC. 8124. None of the funds appropriated by this Act may be used for leasing of transport/VIP aircraft under any contract entered into under any procurement procedures other than pursuant to the Competition and Contracting Act.

Mr. MCCAIN. Mr. President, this calls for full and open competition in the case of a lease of a transport/VIP aircraft. It would address the complaints of industry with respect to the Boeing 767 tanker lease and Boeing 737 transport/VIP lease and the first five multisensor command and control aircraft, and would replace the JSTARS E-3 AWACS and the RC-135 Rivet Joint aircraft.

Basically, it calls for full and open competition for these aircraft, in the case of four 737 transport aircraft, and,

as I understand, prospective Boeing 767 tanker aircraft.

The PRESIDING OFFICER. Is there further debate on the amendment?

Mr. STEVENS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. Mr. President, I misspoke. This amendment does not apply to the 767, only to the 737 aircraft.

The PRESIDING OFFICER. Is there further debate on the amendment?

The Senator from Hawaii.

Mr. INOUE. With that amendment, the managers are prepared to accept it.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 444.

The amendment (No. 444) was agreed to.

#### AMENDMENT NO. 445

Mr. MCCAIN. For the benefit of my colleagues, I have one more amendment that is not agreed to and would require a rollcall vote, which I understand from the majority leader would be scheduled for tomorrow. I have a statement I would like to read concerning the pending bill and then discuss the amendment, or if the managers so choose, I would discuss the amendment first and then describe my views on the overall legislation.

Mr. President, I send amendment No. 445 to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Arizona [Mr. MCCAIN], for himself, and Mr. FEINGOLD, proposes an amendment numbered 445.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Is there objection?

Mr. STEVENS. Mr. President, I object. I do not think we have a copy of that amendment yet.

The PRESIDING OFFICER. Objection is heard. The clerk will continue with the reading of the amendment.

The legislative clerk read as follows:

On page 223, between lines 20 and 21, insert the following:

SEC. 8124. The Secretary of the Air Force shall not enter into any lease for transport/VIP aircraft for any period that includes any part of fiscal year 2003 until there is enacted a law, other than an appropriation Act, that authorizes the appropriation of funds in the amount or amounts necessary to enter into the lease and a law appropriating such funds pursuant to such authorization of appropriations.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I ask the managers of the bill if there are any further amendments that will be included in the managers' package.

Mr. INOUE. Mr. President, if I may respond.

The PRESIDING OFFICER. The Senator from Hawaii.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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